

Testimony taken Friday, November 12, 1937. at eleven-thirty, a. m.

Irving A. Fox, a witness of lawful age, after having been duly sworn, deposes and says:

My name is Irving A. Fox and I reside at Foxville, Frederick County, Maryland, and have lived there practically all of my life.

I knew Elmer E. Duhrman in his life time and know that he died about a year ago, and no Will could ever be found. At the time of his death he owned a parcel of real estate.

Q. I hand you deed marked Exhibit No. 1 to the Bill of Complaint and ask if you can identify that deed as being the property that Elmer E. Duhrman acquired, said property containing five and three-fourths acres, and I hand you deed marked Exhibit No. 2, which represents a parcel of land conveyed by Elmer E. Duhrman to Clayton McAfee and ask whether you can identify this as the parcel of land conveyed by Mr. Duhrman.

A. I identify Exhibit No. 1 as the property in question, less the parcel sold to McAfee.

Elmer E. Duhrman, at the time of his death left surviving him the following heirs at law:

A daughter, Louella, who left for the West years ago, and her husband left her, I understand.

A son, Martin Duhrman, whose wife's name is Irene but they don't know where she is, and Martin lives in Hagerstown.

A son, Clyde Duhrman, whose wife's name is Lucy.

A son, Walter E. Duhrman, whose wife's name is Faith and they live in Hagerstown.

And then he had another son, Floyd who is dead and Floyd left a son Robert, an infant and he resides in York.

Mr. Duhrman left another son, Melvin Cletus Duhrman who killed himself and he left two children, Helen Virginia and Phyllis Marjorie, both of whom are infants and they reside with their mother, Lillie Duhrman Willard.

This property cannot be divided equally among those entitled and it would be to the best interest and advantage that the same be sold. I believe the market value of this property to be